

**UNITED STATES DISTRICT COURT**  
for the  
Eastern District of North Carolina

**FILED**MAY 16<sup>36</sup> 2024

PETER A. MOORE, JR., CLERK  
US DISTRICT COURT, EDNC  
BY BM DEP CLK

United States of America  
v.  
Damian Alexander Brezinski

Case No.

7:24-mj-1115-RJ

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 2022 to April 2024 in the county of New Hanover in the  
Eastern District of North Carolina, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 2422(b)	Online sexual enticement of a minor

This criminal complaint is based on these facts:

See attached affidavit, incorporated as if fully restated herein.

☒ Continued on the attached sheet.

K Kelly Kucala  
*Complainant's signature*

Kelly Kucala, FBI Special Agent  
*Printed name and title*

Sworn to before me and signed in my presence.

Date: May 16 2024

City and state: Wilmington, NC

Robert B. Jones, Jr.  
*Judge's signature*

Robert B. Jones, Jr., U.S. Magistrate Judge  
*Printed name and title*

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## AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Kelly Kucala, a special agent with the Federal Bureau of Investigation, being duly sworn, depose and state as follows:

### BACKGROUND

1. I, Kelly Kucala, have been employed as a special agent of the Federal Bureau of Investigation (FBI) since January 17, 2021, and am currently assigned to FBI's Charlotte Division, Wilmington Resident Agency. I have received training and I have experience in federal law enforcement investigations, including investigations into suspected narcotics, human trafficking, and violent crimes against children. I have participated in the execution of search and arrest warrants. As a federal law enforcement officer, I am charged with the duty of investigating violations of United States Code and collecting evidence in matters in which the United States is or may be a party of interest. I am charged with investigating a range of crimes, including offenses related to sex trafficking, child sexual abuse, and narcotics. Specifically pertaining to child exploitation investigations and online enticement, I have gained expertise through training, discussions with other law enforcement officers, and everyday work conducting these types of investigations. I have viewed numerous images and videos depicting the sexual exploitation of children in a variety of media, both in my professional training and in the investigation of criminal offenses. I have also spent significant time interacting with and observing children as part of my professional duties and in my personal experience. I have investigated numerous cases involving child victims.

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2. Thus, I am an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7). That is, I am an officer of the United States who is empowered by law to conduct investigations of, and make arrests for, violations of federal law, including the offenses enumerated in chapters 77, 110, and 117 of Title 18, United States Code.

3. The statements contained in this affidavit are based upon my personal knowledge; information provided by other individuals, including other law enforcement officials; my review of records obtained during the course of this investigation; and my experience and background as a special agent of the FBI. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included in this affidavit each and every fact and circumstance known to me, but only the facts and circumstances sufficient to establish probable cause. All age estimations in this affidavit are based on, among other things, my training and experience as a criminal investigator who specializes in offenses involving children and my personal life experience.

4. This affidavit is submitted in support of a criminal complaint charging that beginning no later than September 2022 and continuing to in or about April 2024, in the Eastern District of North Carolina, Damian Alexander BREZINSKI used a facility or means of interstate commerce, namely, cellular telephones that operate over the Internet and cellular networks, to persuade, induce, or entice a minor to engage in illegal sexual activity in violation of 18 U.S.C. § 2422(b).

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### PROBABLE CAUSE

5. On May 13, 2024, Coastal Carolina Human Trafficking Task Force met with Kure Beach Police Department (KBPD) regarding an investigation into Damian Alexander BREZINSKI, born September 10, 1962. On May 3, 2024, KBPD arrested BREZINSKI for indecent liberties with a child and first degree statutory sexual offense. KBPD executed search warrants at BREZINSKI's home and office and seized electronic devices. On May 8, 2024, BREZINSKI was charged with four additional counts of indecent liberties with a child, three counts of statutory sexual offense with a child by an adult, soliciting a child by a computer, and statutory rape of a child by an adult.

6. BREZINSKI is a cardiologist who owned the medical practice, Island Cardiology, 1328 N. Lake Park Boulevard #103, Carolina Beach, North Carolina 28428, and a cardiologist at Bougainvillea Clinic, PO Box 378 Road Town, Tortola, British Virgin Islands, VG1110. BREZINSKI also had additional businesses registered to him including Island Imaging PLLC, Keep the Beat Alive, Inc., and Chords for a Cause, Inc. Records show that BREZINSKI has resided within in the Eastern District of North Carolina since 1991 and obtained a driver's license in North Carolina siting a Wrightsville Beach PO Box in 1992.

7. The investigation into BREZINSKI was initiated after the Department of Social Services (DSS) received two anonymous tips on May 2, 2024, regarding BREZINSKI. According to the tipsters, BREZINSKI was dating an adult woman (whose names the callers specified) and sexually assaulting the woman's 10-year-old

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daughter, whom the callers identified by name and whom I will refer to as "Minor Victim 1."

8. With the information provided, DSS and KBPD conducted a fact-finding interview with Minor Victim 1 on May 3, 2024. Minor Victim 1 disclosed that BREZINSKI had inappropriately touched her. According to her disclosure to KBPD, BREZINSKI made Minor Victim 1 touch his penis and he would put his penis against her vagina. This type of sexual abuse occurred nightly and had been ongoing since approximately 2020. Law enforcement officers verified Minor Victim 1's date of birth and confirmed that she is currently ten years old.

9. Minor Victim 1's mother was interviewed on May 3, 2024, by KBPD and DSS. She stated she learned of the abuse in mid-April 2024 and cut off BREZINSKI's contact to Minor Victim 1. Minor Victim 1's mother was unemployed and completely financially dependent on BREZINSKI, who was paying for her housing and expenses.

10. On May 3, 2024, Minor Victim 1's mother provided Ring camera video footage from her house. The Ring camera was stationed in the family's living room. On April 18, 2024, at 23:09, the camera captured BREZINSKI in the living room. In the video footage BREZINSKI can be seen removing his pants, which exposed his bare buttocks, and then walking upstairs. Located upstairs was Minor Victim 1's room and a guest bedroom. BREZINSKI and Minor Victim 1's mother shared the room downstairs. BREZINSKI returned downstairs approximately 40 minutes later. Minor Victim 1's mother saved the video footage on April 20, 2024.

11. On May 7, 2024, Minor Victim 1 was interviewed at the Carousel Center. During her interview, she disclosed that BREZINSKI would sexually assault her in her bedroom mostly during the middle of the night. He would enter her room with the light of his phone on and then get into bed with her. Once in bed, BREZINSKI would remove Minor Victim 1's clothes and his pants. Minor Victim 1 disclosed that BREZINSKI would digitally penetrate her vagina. If Minor Victim 1 attempted to get away from BREZINSKI, he would squeeze her wrists and waist and pull her back close. She reported his strong grip against her stomach made it difficult for her to breathe.

12. During Minor Victim 1's interview on May 7, 2024, she alluded to three of her minor friends being touched inappropriately by BREZINSKI.

13. Minor Victim 1 informed the medical physician at the Carousel Center that BREZINSKI's sexual assaults caused her to experience a burning sensation when she peed.

14. A review of Minor Victim 1's mother's phone showed that the mother had searched if it was normal for a 9-year-old female to experience vaginal discharge.

15. Minor Victim 1's mother consented to law enforcement reviewing the contents of the mother's cellular phone, an iPhone 14 ProMax smartphone, IMEI 353885664184287, that operates over a cellular network and over the Internet.

16. A preliminary review of text messages between Minor Victim 1's mother and BREZINSKI was conducted. On April 11, 2024, BREZINKSI sent Minor Victim 1's mother a text message requesting that she perform oral sex on him in the car with

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Minor Victim 1 present. BREZINKSI referred to Minor Victim 1 in these messages as "Wolf Cub." Minor Victim 1's mother reported to law enforcement that he wanted Minor Victim 1 to refer to him as "Wolf Daddy."

17. Located on Minor Victim 1's mother's cellular device was a video of BREZINSKI kissing Minor Victim 1's neck and holding her chest.

18. KBPD also obtained a state search warrant signed by a Superior Court judge to search BREZINSKI's electronic devices. KBPD conducted a preliminary review of BREZINSKI's cellular telephone, a silver and gold iPhone 12 ProMax, IMEI 357771752205075, smartphone that operates over a cellular network and over the Internet. An initial review of text messages between BREZINSKI and Minor Victim 1 indicated that BREZINSKI was sending and receiving text messages on that smartphone to entice, solicit, coerce, and exploit Minor Victim 1 sexually.

19. For example, on September 29, 2022, BREZINSKI asked Minor Victim 1 via text message if he could "nibble on the back of your neck." Her response was, "I guess." That same day, BREZINSKI messaged FS and stated, "Imma kiss your whole face!" On July 9, 2023, BREZINSKI messaged FS and asked, "When are you going to bed" and "You want some company?" FS's response was "no im good." And on April 5, 2024, BREZINSKI sent song lyrics to Minor Victim 1 via text message that had the following lines: "I want to lick, actually I'd prefer to fuck," "Touch me (and my dick)," "Do you mind if I push my tongue all the way in?" "Premature ejaculation, virgin, you can give it to me all at once," "I'll tear your mind to pieces."

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20. According to a phone extraction review of BREZINSKI's phone, it appeared that after April 20, 2024—the day Minor Victim 1's mother found the incriminating Ring camera footage—he searched for information on how to change his fingerprint, identity change surgery in the Caribbean, “does the victim have to press charges to arrest for a sexual offense,” how to beat a polygraph, and “inappropriate association psych confusing daughter and mother examples.”

21. At all times relevant, Minor Victim 1 and her mother lived in Kure Beach, in the Eastern District of North Carolina.

22. Under North Carolina law, a person commits statutory sexual offense with a child by an adult “if the person is at least 18 years of age and engages in a sexual act with a victim who is a child under the age of 13 years.” N.C. Gen. Stat. § 14-27.28.

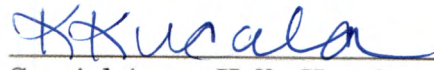
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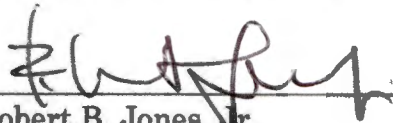
### CONCLUSION

23. Based on my training and experience, and as further supported by the facts in this affidavit, I respectfully submit that there is probable cause to believe that beginning no later than September 2022 and continuing to on or about April 18, 2024, in the Eastern District of North Carolina, Damian Alexander BREZINSKI knowingly used a facility or means of interstate commerce, namely, the Internet, to persuade, induce, or entice a minor to engage in sexual activity in violation of 18 U.S.C. § 2422(b).

Respectfully submitted,

  
Special Agent Kelly Kucala  
Federal Bureau of Investigation

SWORN TO AND SUBSCRIBED BEFORE ME THIS 16 DAY OF MAY, 2024.

  
Robert B. Jones, Jr.  
United States Magistrate Judge